

FOR THE RELIEF OF CERTAIN ALIENS

MARCH 22, 1956.—Committed to the Committee of the Whole House and ordered to be printed

Mr. HYDE, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H. J. Res. 580]

The Committee on the Judiciary to whom was referred the joint resolution (H. J. Res. 580) for the relief of certain aliens, having considered the same, report favorably thereon with amendments and recommend that the joint resolution do pass.

The amendments are as follows:

On page 1, line 5, after the name "Mechial" strike out the comma.

On page 1, line 7, after the name "Kim," strike out the name "Lydia" and substitute in lieu thereof the name "Liidia".

PURPOSE OF THE JOINT RESOLUTION

The purpose of the joint resolution, as amended, is to grant the status of permanent residence in the United States to 14 persons. The joint resolution also provides for the payment of the required visa fees and for appropriate quota deductions. In one case, the joint resolution provides that a bond shall be posted as surety that the beneficiary will not become a public charge.

GENERAL INFORMATION

The committee, desiring to lighten the burden of the Chief Executive and to shorten the time required for the consideration of private calendars on the floor of the House, has decided to include the names of several beneficiaries of pending bills in one joint resolution, after having considered each of the cases on their individual merits and having acquainted themselves with all the facts pertinent to each case.

Section 1 is designed to grant permanent residence in the United States to persons who were the subjects of individual bills as follows:

H. R. 1125, by Mr. Keogh.

H. R. 1510, by Mr. Van Zandt.

H. R. 3163, by Mr. Donovan.

H. R. 3167, by Mr. Donovan.

H. R. 3173, by Mr. Donovan.

H. R. 5912, by Mr. Hyde.

H. R. 6361, by Mr. Machrowicz.

Section 2 is designed to grant permanent residence to the beneficiary of H. R. 4258, by Mr. Wharton, provided that a bond is posted as surety that the beneficiary will not become a public charge.

A discussion of each case included in the joint resolution, with reports from the departments of the administration and such additional information as was obtained by the committee, appears below in the order that those cases appear in the resolution, as amended.

Meyer Urecki, Estera Urecki, and Nathan Urecki—H. R. 1125, by Mr. Keogh

The beneficiaries are a 42-year-old native of Poland, his Polish-born wife and their 10-year-old Russian-born child who were admitted to the United States temporarily in 1947, as a student and visitors, respectively. In addition to the child who is a beneficiary of this bill, Mr. and Mrs. Urecki have two children who are native-born citizens of the United States.

The pertinent facts in this case are contained in a letter dated June 2, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington, D. C., June 2, 1955.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1125) for the relief of Meyer Urecki, Estera Urecki, and Nathan Urecki, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the New York, N. Y., office of this Service which has custody of those files.

The bill would grant the beneficiaries the status of permanent residents in the United States upon payment of the required visa fees. It would also direct that three numbers be deducted from the appropriate immigration quotas.

Meyer Urecki and Estera Urecki are chargeable to the quota of Poland. Nathan Urecki is chargeable to the quota of Russia.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE MEYER URECHI,
ESTERA URECHI AND NATHAN URECHI, BENEFICIARIES OF
H. R. 1125

The beneficiaries, Meyer Urechi, Estera Urechi, and Nathan Urechi, are husband, wife, and minor child. The adult beneficiaries are natives of Poland. The adult male beneficiary was born on December 2, 1913; the female beneficiary was born on August 14, 1923. The minor beneficiary was born on January 3, 1946, in Russia. All of the beneficiaries are stateless. They reside at 437 Barbey Street, Brooklyn, N. Y. The adult male beneficiary attended public and Rabbinical school for approximately 17 years. He is presently employed as a machine operator by Sirac, Inc., in New York City and earns approximately \$85 per week. His assets, owned jointly with his wife, consist of \$500 in a savings account and personal property valued at about \$2,000. He married the female beneficiary on January 28, 1944, in Russia. Since their arrival in the United States, two children have been born to the adult beneficiaries. He has no close relatives other than his wife and children.

The female beneficiary attended public school in Poland for a period of 8 years. She is a housewife. Her mother and two brothers reside in Lithuania.

The beneficiaries arrived at New York, N. Y., on May 26, 1947, on the steamship *Sobieski*, at which time the adult male beneficiary was admitted as a student, and the female and minor beneficiaries were admitted as visitors. Mr. Urechi was admitted to May 1, 1948, his wife and child were admitted for 1 year. Each of the subjects subsequently received extensions to November 1, 1948. On November 17, 1948, warrants of arrest in deportation proceedings were issued against each of the adult beneficiaries on the ground that they remained in the United States for a longer time than permitted. On February 15, 1951, after a hearing, this Service authorized suspension of deportation for the adult beneficiaries. However, such action failed to receive congressional approval and they were subsequently granted voluntary departure with the alternative of deportation if they failed to depart. On May 24, 1954, a warrant of arrest was issued against the minor beneficiary on the grounds that he failed to comply with the terms of his admission. On February 24, 1955, all of the beneficiaries were given a hearing on their warrants of arrest. The adult beneficiaries' original hearing was invalid as a result of the Supreme Court decision in the case of *Wong Yang Sung v. McGrath*. All of the beneficiaries were granted the privilege of voluntary departure with the alternative of deportation if they failed to depart. To date, the beneficiaries have not availed themselves of this privilege.

Private bill H. R. 5124 was previously introduced in behalf of the beneficiaries on May 11, 1953, in the 83d Congress.

A memorandum of information submitted during the 83d Congress by the Commissioner of Immigration and Naturalization, reads as follows:

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE MEYER URECHI, ESTERA
URECHI, AND NATHAN URECHI, BENEFICIARIES OF H. R.
5124

Meyer Urecki, whose correct name is Urecka, also known as Majer Urecki, and as Nathan Urech, is married, is a native and citizen of Poland, and was born on December 3, 1913. The alien Estera Urecki, the wife of Meyer Urecki, was born on August 14, 1923, and is also a native and citizen of Poland. The alien Nathan (Noach) Urecki, the son of Meyer and Estera Urecki, was born on January 3, 1946, and is a citizen of Russia. The last foreign residence of these three aliens was France. They last entered the United States on May 26, 1947, at the port of New York, Meyer Urecki being admitted as an alien student until May 1, 1948, destined to the Messifita Talmudical Seminary at Brooklyn, N. Y. Estera and Nathan Urecki were admitted as temporary visitors for a period of 1 year. The beneficiaries were granted extensions of their temporary stay. The last expiring on November 1, 1948. On November 17, 1948, warrants of arrest in deportation proceedings were issued against the two adult aliens. On February 15, 1951, after a hearing, suspension of deportation was authorized by this Service. However, such action failed of congressional approval, and the beneficiaries were granted the privilege of departing voluntarily from the United States on or before May 13, 1953. They have not availed themselves of that privilege.

The alien Meyer Urecki, testified that prior to the age of 11 he attended a private school, and thereafter commenced his studies at a Yeshivah in Poland. His studies were interrupted by World War II, during which time he worked in the Middle East, returning to Poland at the termination of the war. He married his cousin, Estera Urecki, on January 28, 1944, in Russia, where their son Noach was born. They resided in Czechoslovakia and later France before coming to this country. In addition to their son Noach, they have one other son, Elias, who was born on February 16, 1948, at Brooklyn, N. Y. Meyer Urecki stated that he has been employed by various hat companies in New York since June 28, 1948. He is presently employed by Sirac, Inc., at Brooklyn, N. Y., as operator at a salary of \$85 per week. He is the sole support of his wife and two children.

Estera Urecki testified that she attended public schools in Poland and has been with her husband constantly since their marriage. She is not employed.

The alien, Nathan (Noach) Urecki is attending school in Brooklyn, N. Y. He is in second year English and fourth year Hebrew languages.

The committee received the following letter from the uncle of Mr. Urecki:

NEW YORK, N. Y., November 21, 1955.

Hon. FRANCIS E. WALTER,

*Chairman, Subcommittee No. 1, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

MY DEAR CONGRESSMAN: I have not heretofore answered your letter of August 3, 1955, concerning private bill, H. R. 1125, because I knew from the newspapers that you were being kept extremely busy and I did not want to intrude my affairs upon you. Nevertheless your letter has been on my mind and has troubled me greatly, for it is clear to me that my desire to be as brief as I could when I wrote you on July 25, 1955, resulted in an injustice both to a very fine private voluntary agency and to my nephew and his family.

In my letter of July 25, 1955, I have this sentence:

"During the pendency of the section 6 application, Mr. Urecki was advised by a private voluntary agency that, in view of the fact that the recommendation of the Service in 1951 had not been approved by Congress, administrative relief would not be available to him under section 6 and that his application might in fact prejudice the private bill which Representative Keogh had introduced on his behalf."

On the basis of this sentence, you very properly concluded that the private voluntary agency which I referred to, was guilty of giving my nephew bad advice. Actually the guilt is mine and you can imagine what a burden I now feel it to be. If I had not tried, in my desire to be brief, to combine 2 ideas into 1 paragraph, this misunderstanding would not have arisen, but since it has, permit me to say now what I should have said then.

The private voluntary agency was the one that advised me to seek to have introduced, on my nephew's behalf, a private bill. I followed their advice and did so. The rest of the advice which my nephew received was not from the private agency, but from me. Actually what happened was this. During the pendency of the private bill, I was advised to have my nephew seek relief under section 6 of the Refugee Relief Act of 1953 and I did so. At that time I had very little knowledge of the prior proceedings in my nephew's case. During the pendency of the section 6 application, I learned for the first time that in 1951 my nephew had applied for administrative relief under the provisions of section 19 (c) of the Immigration Act of 1917 and that the Immigration and Naturalization Service had entered an order recommending suspension of deportation but that Congress had failed to act on this recommendation.

When this came to my knowledge, I concluded, erroneously, it is now clear, that the action of Congress had foreclosed further administrative relief under section 6, in view of the fact that it was my understanding that even under a section 6 application, it would be necessary for Congress to act favorably if my nephew were to receive any relief. It seemed to me that since Congress had originally failed to act, there was no further basis for a hope of congressional action following administrative procedures. This was, as I say, my own conclusion as a layman.

I feel very badly about it and it makes me very unhappy that in my letter I coupled my own conclusion with the perfectly valid advice given me by the voluntary agency.

Naturally my mind and my heart have been burdened with the knowledge that I, in my desire to be helpful, may have inadvertently hurt me nephew's case. I do hope that this letter will clear the matter up.

I might add this, that in a sense my nephew did apply for further administrative relief. I hesitate now, in view of my previous mistake, to summarize what happened in the Immigration and Naturalization Service, but as I understand it, the situation is this. On February 24, 1955, my nephew and his family appeared at a hearing *de novo* on their application under section 19 (c). As I understand it, at that hearing my nephew requested that the original application which he had made in 1951 be considered as being then existing. The special inquiry officer handed down a decision, part of which reads as follows:

"The adult respondents would therefore appear to qualify for suspension of deportation on the ground of economic detriment to their citizen child under section 19 (c) (a) of the Immigration Act of 1917 and also on the ground of 7 years' residence under section 19 (c) (2) (b) of the same act. The minor respondent appears to qualify for suspension of deportation under section 19 (c) (b) of the act * * *. In view of the fact that the adult respondents' applications for suspension of deportation have previously been acted upon by the Service and rejected by Congress it is questionable whether the same applications may be considered as existing applications whose validity was preserved under section 405 (a) of the Immigration and Nationality Act. However, even if this issue be resolved in the respondents' favor and it be assumed that the applications are valid, ones, nevertheless as a matter of administrative discretion the application for suspension of deportation should be denied at this time since Congress has already rejected the applications and no useful purpose would be served in resubmitting the cases at this time, despite the lapse of time since the cases were originally presented to Congress."

When this decision was handed down, the voluntary agency was consulted as to the advisability of an appeal. Their feeling at that time was that they could not say what the likely outcome of such an appeal would be. Because an appeal would have required filing fees of \$75 and because my nephew is a worker with a large family to support, I concluded, erroneously again, perhaps, that he could not afford to spend this sum unless there was more than a fair likelihood of the appeal being successful. I therefore advised him not to appeal.

In conclusion, may I say two things: First, I hope that this letter clears up any implication that the bad advice my nephew got was from anybody other than myself; the second, I still look forward to the privilege of seeing you personally on this matter at any time at your convenience, if the state of my health permits me to travel to Washington.

I want to thank you more than I can say, for the consideration you have given this case up to now.

Respectfully yours,

MAX ZARITSKY.

Dr. Shan-Ho Ma and Tsui-Ou Cheng Ma—H. R. 1510, by Mr. Van Zandt

The beneficiaries are natives and citizens of China who are husband and wife. Dr. Ma was admitted to the United States as a student in 1951 and his wife was admitted as an exchange visitor in 1952. She is a nurse by profession. Dr. and Mrs. Ma are the parents of one child who is a citizen of the United States by birth.

The pertinent facts in this case are contained in a letter, dated June 23, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington 25, D. C., June 23, 1955.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 1510) for the relief of Dr. Shan-Ho Ma and Tsui-Ou Cheng Ma there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Pittsburgh, Pa., office of this Service, which has custody of those files.

The bill would grant the beneficiaries permanent residence in the United States upon payment of the required visa fees. It would also direct that two numbers be deducted from the appropriate immigration quota.

The beneficiaries are chargeable to the quota for the Chinese.

Sincerely,

—————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE MA, DR. SHAN-HO
AND TSUI-OU CHENG, BENEFICIARIES OF H. R. 1510

The beneficiary, Dr. Shan-Ho Ma, was born on October 15, 1919, in Foochow, Fukien, China. His last residence abroad was in Formosa. He entered the United States at Seattle, Wash., on September 16, 1951, and was admitted as a student to attend Columbia University School of Public Health. He completed this course of study in June 1952.

The beneficiary, Tsui-Ou Cheng Ma, was born on May 12, 1927, in Foochow, Fukien, China. Her last residence abroad was in Formosa. She entered the United States at Seattle, Wash., on March 29, 1952, at which time she was admitted as an exchange visitor.

The beneficiaries were married at New York, N. Y., on July 14, 1952. On September 22, 1953, a daughter, Mona, was born to the beneficiaries at Cleveland, Ohio. Both of the beneficiaries failed to comply with the conditions of their admission and deportation proceedings were instituted against them. They have been found deportable and have been granted the privilege of voluntarily departing from the United States. In entering the order granting the beneficiaries voluntary departure, it was provided that if they failed to depart within the period set for their departure, that such privilege was to be withdrawn and the beneficiaries were to be deported from the United States. To date they have failed to avail themselves of this privilege. The beneficiary, Dr. Ma, applied for a change of his status to that of a permanent resident under section 245 of the Immigration and Nationality Act. This application was disapproved. The beneficiary, Mrs. Ma, filed an application for adjustment of her status to that of a permanent resident under the Refugee Relief Act of 1953. This application was also disapproved.

The beneficiary, Dr. Ma, is a physician. He received his degree of doctor of medicine at Kungsi, China, in 1944. In 1952, he received the degree of master of public health at Columbia University, New York, N. Y. He served as a physician at Montefiore Hospital, Bedford Hills, N. Y., from January to June 1953, and at Cleveland City Hospital, Cleveland, Ohio, from July 1953 to July 1954. In July 1954, he was appointed to the staff of the Cresson State Hospital, Cresson, Pa., his present place of employment, as a physician at an annual salary of \$4,500 per year.

Mrs. Ma is a nurse by profession. Her mother, father, 3 brothers, and 5 sisters reside in Foochow, China. Dr. Ma's mother, father, 2 brothers, and 1 sister reside in Foochow, China. The beneficiaries are presently residing on the grounds of the Cresson Sanitarium, Cresson, Pa.

Mr. Van Zandt, the author of H. R. 1510, appeared before a subcommittee of the Committee on the Judiciary and testified as follows:

STATEMENT BY REPRESENTATIVE JAMES E. VAN ZANDT,
MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA,
IN SUPPORT OF H. R. 1510, A BILL FOR THE RELIEF OF DR.
SHAN-HO MA AND TSUI OU CHENG, MARCH 5, 1956

Mr. Chairman, the opportunity to appear before this subcommittee of the House Committee on the Judiciary in support of my bill, H. R. 1510, is deeply appreciated.

As the author of H. R. 1510, I should like to outline the reasons that prompted the introduction of the legislation.

During the latter part of September, 1954, I was contacted by Rev. George E. Johnson, pastor of the First Methodist Church, Altoona, Pa., who requested my assistance in connection with the application of Dr. and Mrs. Shan-Ho Ma for American citizenship.

As a result of this request, I contacted the Pittsburgh, Pa. office of the Immigration and Naturalization Service

and was informed that Dr. Ma and his wife were admitted to the United States for a temporary period of time and were not eligible for citizenship. I was also informed that a conference with Dr. and Mrs. Ma had been scheduled in Pittsburgh, Pa., September 29, 1954, for further consideration of their cases.

On October 8, 1954, Commissioner J. M. Swing of the Immigration and Naturalization Service informed me by letter as follows:

"Dr. and Mrs. Ma are residing in the country in an illegal status, each of them having overstayed the temporary period for which they originally were admitted. The subjects desire to remain permanently in the United States. Dr. Ma applied for an adjustment of his immigration status under section 245 of the Immigration and Nationality Act. His wife applied for adjustment of her status under section 6 of the Refugee Relief Act of 1953. It was found necessary to deny both requests for adjustment of status since Dr. and Mrs. Ma did not meet the requirements for relief under those acts.

"The office of the district director of this Service, Philadelphia, Pa., under whose jurisdiction the subjects reside, will be instructed to give Dr. and Mrs. Ma a reasonable time within which to arrange for and effect their departure to Formosa. However, deportation proceedings will be instituted in the event they fail to leave the country within the period granted them to depart by the district director."

Dr. and Mrs. Ma, in a letter dated October 12, 1954, from Mr. C. Garfinkel, officer in charge of the Pittsburgh, Pa., office of the Immigration and Naturalization Service, were informed as follows:

"Our central office in Washington, D. C., has instructed this office to advise you that favorable consideration may not be given to your request to remain longer in the United States. This office was also directed to advise you to make immediate arrangements to depart from the United States to Formosa.

"Pursuant to these instructions from our central office, you are hereby granted until December 1, 1954, in which to effect your departure from the United States to Formosa. If you fail to depart from the United States to Formosa on or before December 1, 1954, it will be necessary to institute deportation proceedings against you."

With the deadline of December 1, 1954, having been established as the date of the departure from the United States of Dr. and Mrs. Ma, I received further appeal for assistance from Rev. George E. Johnson of Altoona, Pa., and from Dr. Harry W. Weest, medical director of the Cresson Tuberculosis Sanatorium, Cresson, Pa., where Dr. and Mrs. Ma are presently located.

In addition, Dr. M. C. Stayer, director of the Pennsylvania State Bureau of Tuberculosis Control, Harrisburg, Pa., contacted the Immigration and Naturalization Service

stating that "because of a technicality in the admission of Dr. and Mrs. Ma to this country" they were being asked to leave for Formosa December 1, 1954.

Dr. Stayer pointed out that Dr. Ma is on the staff in the State Sanatorium at Cresson, Pa., for training purposes in chest diseases and that "his professional services are needed because of the difficulty in obtaining qualified personnel." He concluded by stating "I understand that Dr. Ma entered this country under the exchange-visitors program for which this health department's institutions participate under program No. P-1828. Favorable consideration is requested for extension of time in this instance."

Dr. Harry W. Weest, medical director of the Cresson, Pa., Tuberculosis Sanatorium also wrote the Immigration and Naturalization Service under date of October 26, 1954, stating that Dr. Ma was trained in tuberculosis work at the Montefiore Hospital, New York City, and at the Cleveland City Hospital, Cleveland, Ohio. He also stressed the shortage of doctors stating it was his belief that should Dr. Ma be compelled to depart for Formosa December 1, 1954, the progress of patients under his care would be jeopardized.

Dr. Weest also contacted Miss Madeline L. Greco, specialist on technical services, American Service Institute of Allegheny County, Pittsburgh, Pa., who in turn wrote to the Pittsburgh office of the Immigration and Naturalization Service November 2, 1954, and stated in part—"Since the best interests of the Commonwealth of Pennsylvania's Health Department are served by the retention of Dr. Ma on the Cresson Sanatorium's staff, we trust that favorable consideration can be given to the request for a continuation of his services at least until the term of his appointment is completed."

Dr. Russell E. Teague, secretary of health, Commonwealth of Pennsylvania, Harrisburg, Pa., also wrote on October 29, 1954, to the Immigration and Naturalization Service requesting an extension of stay to July 1, 1955, and received a reply stating that the request had been denied.

Dr. Teague was informed that if Dr. Ma did not depart from the United States on or before December 1, 1954, the Pittsburgh office of the Immigration and Naturalization Service had been instructed to proceed with the deportation proceedings. It was added that "if deportation proceedings result in an order requiring departure or deportation, consideration will be given to a request by your department for a stay of enforced departure or deportation to July 1, 1955."

Acting on the advice in a letter dated November 16, 1954, from Miss Madeline Greco, of the American Service Institute of Allegheny County, Pittsburgh, Pa., Dr. Ma elected to remain in the United States and allow the deportation proceedings to be instituted with the prospect that the date of departure could be extended to July 1, 1955.

When the 84th Congress convened January 5, 1955, I introduced private bill, H. R. 1510, for the relief of Dr. and

Mrs. Ma at the request of Rev. George E. Johnson, Dr. Harry W. Weest, Miss Madeline Greco, and Dr. and Mrs. Ma.

In response to my request for an extension of the period fixed for departure of Dr. and Mrs. Ma from the United States, I was advised in a letter I received dated October 27, 1955, from Commissioner J. M. Swing of the Immigration and Naturalization Service that the date of departure of Dr. and Mrs. Ma had been extended to August 1, 1956.

Mr. Chairman, for the information of this committee, Dr. Shan-Ho Ma was born October 15, 1919, in Foochow, China. His last residence was in Formosa to where he states he was forced to flee as an ardent anti-Communist before Canton, China, in which he was residing, was overtaken by the Communists.

Dr. Ma is a physician receiving his degree of doctor of medicine at Kungsi, China, in 1944. He entered the United States at Seattle, Wash., on September 16, 1951, and was admitted as a student to attend Columbia University School of Public Health, New York City, where he completed this course of study in June, 1952, receiving the degree of master of public health.

Dr. Ma served as a physician at Montefiore Hospital, Bedford Hills, N. Y., from January to June, 1953, and at Cleveland City Hospital, Cleveland, Ohio, from July 1953 to July 1954.

In July, 1954, Dr. Ma was appointed to the staff of the Cresson State Hospital, Cresson, Pa., his present place of employment, as a physician at an annual salary of \$4,500.

Dr. Ma's mother, father, and five sisters reside in Foochow, China.

Mrs. Tsui Ou Cheng Ma, wife of Dr. Ma, was born May 12, 1927, in Foochow, Fukein, China. Her last residence abroad was in Formosa. She entered the United States at Seattle, Wash., March 29, 1952, at which time she was admitted as an exchange visitor.

Mrs. Ma is a nurse by profession and was married to Dr. Ma at New York City July 14, 1952. On September 22, 1953, a daughter, Mona, was born to Dr. and Mrs. Ma at Cleveland, Ohio, and in September 1955, a second child was born at Cresson, Pa.

Mrs. Ma's mother, father, 3 brothers, and 5 sisters reside in Foochow, China.

Dr. and Mrs. Ma reside on the grounds of the Cresson State Sanatorium, Cresson, Pa.

Mr. Chairman, it is my understanding that Rev. H. O. Halbert, pastor of the Trinity Episcopal Church, Easton, Pa., wrote to you in January of this year concerning H. R. 1510 and expressed the hope that the legislation could be given favorable consideration.

I am informed, Mr. Chairman, that you wrote Reverend Halbert on January 31, 1956, for clarification of the status of the beneficiaries of H. R. 1510 and that the information has been forwarded to you.

According to the information furnished me by Dr. Ma, he fled from Canton, China, to Formosa when it became evident that the Communists would overrun the mainland of China, as Formosa was the only temporary refuge open under the emergency conditions which existed at that time.

Dr. Ma has stressed the fact that his parents and relatives, as well as the parents and relatives of his wife, are still living in Foochow, China, and that both he and his wife took temporary refuge in Formosa, never intending to abandon Foochow but being forced to do so because the Communists were bent upon occupying the mainland of China.

Dr. and Mrs. Ma contend that Formosa was never their real home but only a temporary refuge until they could obtain visas to the United States.

Mr. Chairman, in view of the fine letters of recommendation which I have received from Rev. George E. Johnson of Altoona, Pa., and from officials of the Cresson Sanatorium concerning the character and reputation of Dr. and Mrs. Ma, I am hopeful that this subcommittee can give favorable consideration to H. R. 1510.

Mr. Chairman, in concluding my remarks, since Dr. and Mrs. Ma have not had the opportunity to testify in person before this committee, I should like to have included in my remarks the following letter by Dr. Shan-Ho Ma and his wife, Tsui Ou Cheng Ma, beneficiaries of H. R. 1510:

In addition, the committee files contain the following letters in support of this bill:

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF HEALTH,
BUREAU OF TUBERCULOSIS CONTROL,
Harrisburg, December 2, 1955.

Hon. FRANCIS E. WALTER,
*Chairman of the Committee on the Judiciary,
Subcommittee No. 1, Easton, Pa.*

DEAR MR. WALTER: I am writing this letter in the interest of Dr. Shon-Ho Ma who was appointed to our medical staff at the State sanatorium at Cresson, Pa., on July 1, 1954.

Dr. Ma and Mrs. Ma have been an asset to us not only professionally but have been accepted well by the staff and the community. To the best of our knowledge neither Dr. Ma nor Mrs. Ma have any communistic leanings.

We hope that you and your committee will look favorably on House bill H. R. 1510, introduced by Congressman James E. Van Zandt.

Sincerely yours,

M. C. STAYER, M. D., *Director.*

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF HEALTH,
Harrisburg, December 2, 1955.

HON. FRANCIS E. WALTER,
*Chairman of the Committee on the Judiciary, Subcommittee No. 1,
Easton, Pa.*

DEAR MR. WALTER: I wish to solicit your favorable support for House bill H. R. 1510, sponsored by Congressman James E. Van Zandt, for the relief of Dr. Shon-Ho Ma, who is currently employed on our professional staff at the State sanatorium at Cresson, Pa.

Dr. Ma's services are urgently needed at the institution because of the shortage of physicians. He is highly regarded and recommended by Dr. Weest, the medical director.

Dr. Ma and his wife both have been at that institution since July 1, 1954. To the best of our knowledge, neither Dr. Ma or Mrs. Ma have communistic leanings.

Sincerely yours,

BERWYN F. MATTISON, M. D.,
Secretary of Health.

George Mechial Mourkakos—H. R. 3163, by Mr. Donovan

The beneficiary is a 26-year-old native and citizen of Greece who entered the United States as a seaman in 1951. On May 14, 1951 he was inducted into the United States Army and served honorably until his discharge on April 22, 1953. He filed a petition for naturalization under the provisions of Public Law 86, 83d Congress, but he was found to be statutorily ineligible for such benefits inasmuch as he did not have the required residence in this country prior to his service in the Army.

The pertinent facts in this case are contained in a letter, dated, June 3, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington, D. C., June 3, 1955.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 3163) for the relief of George Mechial Mourkakos, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y. office of this Service, which has custody of those files.

The bill would grant the beneficiary the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Greece.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE GEORGE MECHIAL
MOURKAKOS, BENEFICIARY OF H. R. 3163

The beneficiary, George Mechial Mourkakos, was born on October 4, 1929, in Laconia, Greece, and is a citizen of Greece. He is unmarried and has no close relatives in the United States. His parents, 3 brothers, and 1 sister reside in Greece. He resides in the Bronx, N. Y., and is employed as a freelance machinist for various ship-repair companies in Brooklyn, N. Y. His average weekly earnings amount to approximately \$58. The beneficiary claims to have assets consisting of some \$1,000 in savings, and clothing and personal effects valued at approximately \$800. The beneficiary claims to have attended the Artimides Engineering School in Perama, Greece, between 1941 and 1949.

The beneficiary last entered the United States on February 28, 1951, at Philadelphia, Pa., as a member of the crew of the steamship *Norlandia*. He had been shipping in and out of the United States as a seaman since April 1948. On April 22, 1953, deportation proceedings were instituted with the issuance of a warrant of arrest which charged that he had failed to comply with the conditions of his nonimmigrant status. A hearing was accorded him on June 26, 1953, and he was found to be deportable on the charge contained in the warrant of arrest. An order was entered granting him the privilege of voluntarily departing from the United States at his own expense with an alternative order of deportation in the event he failed to so depart. On April 6, 1954, the Board of Immigration Appeals ordered dismissal of an appeal by the beneficiary.

On May 14, 1951, the beneficiary was inducted into the United States Army. He served in the United States and abroad until his honorable discharge on April 22, 1953. On May 6, 1954, the beneficiary filed a petition for naturalization under the provisions of Public Law 86, 83d Congress, as a former member of the Armed Forces. However, the beneficiary is not statutorily eligible for naturalization under the provisions of that law inasmuch as he is unable to demonstrate that he had 1 year of residence in the United States before his entry into the Armed Forces. Private bill H. R. 6193, introduced on July 9, 1953, in the 83d Congress, for the relief of the beneficiary, failed of enactment.

Mr. Donovan, the author of H. R. 3163, appeared before a subcommittee of the Committee on the Judiciary and recommended the favorable consideration of his measure.

In addition Mr. Donovan submitted the following letter in support of his bill:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 20, 1956.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
United States House of Representatives,
Washington 25, D. C.

DEAR MR. CHAIRMAN: I am writing concerning H. R. 3163 which I introduced for the relief of George Mechial Mourkakos.

The beneficiary was born on October 4, 1929, in Laconia, Greece. He last entered the United States on February 28, 1951, at Philadelphia.

Mr. Mourkakos was inducted into the United States Army on May 14, 1951. He served in the Army 1 year 11 months and 9 days, 18 months and 9 days of which were served overseas. He received an honorable discharge on April 22, 1953. In January 1953, while serving overseas, he wrote to the Department of Justice of his desire to become a citizen. He received a letter dated January 28, 1953, signed by Carl B. Hyatt, Assistant Commissioner, Citizenship Services and Instructions Division, Washington, D. C., advising him as follows: "There is no provision of law for the naturalization of a person in the Armed Forces while outside the United States. Upon your return to the United States you may apply at the nearest office of this Service for the appropriate application form and any information or advice necessary. There is enclosed a list of the offices of this Service for your convenience."

When Mr. Mourkakos returned to the United States and shortly before he was to be discharged from the Army, an inquiry as to an application for citizenship was made to the Immigration Office in Newark. On April 22, 1953, the same date as his discharge from the Army, deportation proceedings were instituted with the issuance of a warrant of arrest which charged that he had failed to comply with the conditions of his nonimmigrant status. At the time of his discharge from the Army, Mr. Mourkakos was placed in the United States Army Reserve for a period of 5 years.

I am advised by your committee that all the evidence necessary for a hearing on the bill is now at hand. I will appreciate your scheduling the bill for hearing and notifying me so that I may appear before the committee in behalf of the bill.

Very sincerely yours,

JAMES G. DONOVAN.

Swingtuk Jacob Kim, Tai Kang Kim, Ruth Sunyung Kim, and Luther Sunil Kim.—H. R. 3167, by Mr. Donovan

The beneficiaries are husband and wife and their two children, all of whom are natives and citizens of Korea. Mr. and Mrs. Kim also have three children who are United States citizens by birth. Mr. Kim is presently employed by the Voice of America and was previously employed from 1942 to 1945 in the Office of Censorship in New York.

The pertinent facts in this case are contained in a letter dated November 25, 1953, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary regarding a bill (H. R. 4618) pending during the 83d Congress for the relief of the same persons. That letter and accompanying memorandum read as follows:

NOVEMBER 25, 1955.

HON. CHAUNCEY W. REED,

Chairman, Committee on the Judiciary,

House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 4618) for the relief of Kim Suingtuk Jacob and Mrs. Tai Kang Kim, there is annexed a memorandum of information from the Immigration and Naturalization Service files concerning the beneficiaries.

The bill would grant the aliens permanent residence in the United States upon payment of the required visa fees. It would also direct that two numbers be deducted from the appropriate immigration quota.

The aliens are chargeable to the quota of Korea.

Sincerely,

—————, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE KIM SUINGTUK JACOB
AND MRS. TAI KANG KIM, BENEFICIARIES OF H. R. 4618

The alien, Kim Suingtuk Jacob, was born on September 17, 1909, at Tyong Yang, Korea. He is also known as Sung Duk Kim. The alien, Mrs. Tai Kang Kim, also known as Alice Kim and Tai Kang Hahn, was born on September 17, 1910, at Kahpyong-Gun, Korea. The beneficiaries last entered the United States on July 8, 1948, at San Francisco, Calif., and were admitted as visitors. They were granted an extension of stay to July 1, 1949, which was later extended to October 1, 1949. On February 24, 1950, deportation proceedings were instituted. On November 15, 1950, at a hearing to determine their deportability the hearing officer recommended that they had established eligibility for suspension of deportation. Congress did not approve suspension of deportation and they were allowed the privilege of voluntary departure, such departure to be effected on or before May 2, 1953.

The beneficiaries were married on August 31, 1937, in Manchuria. They have 3 children born in the United States, 2 children born in Korea, and an adopted daughter. One of the children, age 6, resides with the male subject's 75-year-old mother, in Korea.

The male beneficiary first entered the United States in 1937 and was admitted as a student. He attended school in the United States from 1937 to 1942. From 1942 to 1945 he worked in the Office of Censorship in New York. In 1945 he returned to Korea. While in Korea he worked as dean of men of the United States military government, Seoul Na-

tional University, and as liaison officer for the Department of Education, United States military government. Since 1949 he has worked for the Voice of America and his present salary is approximately \$5,900 per year. At present he is employed as an announcer translator and script writer. The female beneficiary completed 2 years of college in Korea.

Mr. Donovan, the author of H. R. 3167, appeared before a subcommittee of the Committee on the Judiciary and recommended the favorable consideration of his measure.

Mr. Donovan also submitted the following letter in support of his bill:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 20, 1956.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
United States House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: I am writing with regard to my private bill, H. R. 3167, reintroduced on January 26, 1955, for the relief of Kim Suingtuk Jacob and family.

Mr. Kim first entered the United States in 1937 as a student. He has a master's degree from Princeton University. From 1942 until 1945 he was employed in the Office of Censorship in New York City. Mr. Kim returned to Korea in 1945 and was employed with the United States military government at Seoul.

The beneficiaries were last admitted to the United States in July 1948 at San Francisco. They applied for adjustment of their status and although their applications were approved by Immigration and Naturalization Service and their cases referred to Congress, they failed to receive the approval of the Congress.

In addition to the minor beneficiaries mentioned in the bill, the Kims have 4 other minor children, 1 of them adopted and 3 of whom were born in the United States.

The entire family is dependent upon Mr. Kim who is employed as a translator and announcer by the United States Information Agency, Washington, D. C.

As I understand it, there is now on file with the committee all the evidence necessary in order that a hearing may be held upon this bill. I would appreciate your scheduling a hearing on the bill, and I request the opportunity to appear and testify in behalf of the bill.

Very sincerely yours,

JAMES G. DONOVAN.

The committee also received the following letter in support of this legislation:

LOS ANGELES, CALIF., July 6, 1955.

HON. EMANUEL CELLER,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: May I state for your information that I have known Mr. Jacob S. Kim and his wife and family for 10 years.

Mr. Kim has served the United States Government for more than 10 years. He assisted the United States Government during World

War II. He worked in the United States Military Government in Seoul, Korea, from 1945, and served as dean of men at the Seoul National University from 1946 to 1948. He then returned to this country and accepted an appointment with the Voice of America, where he works up to present time.

Mr. Kim is both an educator and a minister. He serves intermittently as an ordained minister at the present time. He has a wife and 6 children, 3 of the children born in this country.

I can most strongly recommend Mr. Kim as a man of the highest character, of the highest intelligence and of great practical ability. He has given without stint to all the tasks which he has undertaken, and I am sure he will make a most helpful and patriotic American citizen, and that Mrs. Kim and the older children will also be valuable additions to our American citizens.

With my sincerest thanks for your efforts to guide Mr. Kim's citizenship resolution (H. R. 3167) to final approval, I am,

Sincerely yours,

SUNTU LEE (or Lee Suntu).

Lydia Kunder—H. R. 3173, by Mr. Donovan

The beneficiary is a 44-year-old native of Latvia who was last a citizen of Estonia. She fled to Sweden in 1944 and arrived in the United States with other refugees, all of whom were paroled into the United States after having crossed the Atlantic in a small boat. Subsequently, Private Law 655 of the 82d Congress was enacted in behalf of those refugees, the purpose of which was to confer jurisdiction on the Attorney General to consider their applications for adjustment of their immigration status pursuant to the provisions of section 4 of the Displaced Persons Act of 1948, as amended. Inadvertently, Miss Kunder was not informed of the necessity to file an application for adjustment of her status after Private Law 655 was enacted.

The pertinent facts in this case are contained in a letter, dated August 17, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 8956) pending during the 83d Congress for the relief of the same person. That letter and accompanying memorandum read as follows:

AUGUST 17, 1954.

HON. CHAUNCEY W. REED,

Chairman, Committee on the Judiciary,

House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 8956) for the relief of Lydia Kunder, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of these files.

The bill would grant the beneficiary the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Latvia.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE LYDIA KUNDER, BENE-
FICIARY OF H. R. 8956

The beneficiary, whose name is correctly spelled Liidia Kunder, was born in Riga, Latvia, on October 1, 1911 and is a citizen of Estonia, who claims to be stateless. Her only arrival in the United States was at the Port of Boston, Mass. on August 29, 1950, at which time she was excluded by a board of special inquiry by reason of being an immigrant not in possession of a valid immigrant visa.

On February 7, 1951 the Board of Immigration Appeals dismissed her appeal and affirmed the excluding order. However, on March 28, 1951 the beneficiary was paroled into the United States under \$500 bond, pending the outcome of private bill S. 2145 which had been introduced in the 82d Congress for the relief of certain displaced persons. On May 29, 1952 private bill S. 2145 was approved and became Private Law 655 of the 82d Congress which authorized the submission of an application for adjustment of status under the Displaced Persons Act of 1948, within 6 months of the effective date of Private Law 655, notwithstanding the fact that the provisions of the Displaced Persons Act of 1948 had expired. However, as the beneficiary was inadvertently not informed of the need for filing application for adjustment of status pursuant to the provisions of Private Law 655, her case was never considered, but she did subsequently file an application for adjustment of status under section 6 of the Refugee Relief Act of 1953, which application was denied on May 27, 1954 on the grounds that she failed to establish a lawful entry into the United States as required by said act. She has been granted until August 29, 1954 to effect her departure from the United States.

The beneficiary resided in Latvia until 1922 when she moved to Estonia, where she lived until 1944. Fleeing before the spread of communism, she arrived in Sweden in 1944. Then fearing a Russian occupation of Sweden, the beneficiary joined a group of refugees who left Sweden on August 4, 1950, and made its way across the ocean in a small boat finally arriving in the United States.

The beneficiary is single and has no one dependent on her for support. She has no close relatives either in the United States or abroad. She possesses formal education the equivalent of 2 years of work on the university level. Miss Kunder presently resides at 2940 De Witt Place, Bronx, N. Y., and was employed from October 1953 to July 12, 1954, as a domestic servant, earning \$50 weekly, by Mr. F. Abbot Goodhue, 16 Ives Road, Hewlett, Long Island, N. Y. Miss Kunder estimates her assets, consisting of cash, a \$500 bond posted with this Service, and personal effects, at \$2,000.

Mr. Donovan, the author of H. R. 3173, appeared before a subcommittee of the Committee on the Judiciary and recommended the favorable consideration of this bill. In addition, Mr. Donovan submitted the following letter in support of his bill:

HOUSE OF REPRESENTATIVES,
Washington, D. C., January 30, 1956.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: Your attention is respectfully requested to H. R. 3173, a private bill for the relief of Lydia Kunder.

The beneficiary was born in Riga, Latvia, on October 1, 1911, and is a citizen of Estonia. Her only arrival in the United States was at the port of Boston, Mass., on August 29, 1950. She was excluded by a board of special inquiry by reason of being an immigrant not in possession of a valid immigrant visa. However, she was paroled into the United States under \$500 bond, pending the outcome of private bill S. 2145, which had been introduced in the 82d Congress for the relief of certain displaced persons. Private bill S. 2145 was approved and became Private Law 655 of the 82d Congress, and authorized the submission of an application for adjustment of status under the Displaced Persons Act of 1948.

Miss Kunder was inadvertently not informed of the need for filing application for adjustment of status pursuant to the provisions of Private Law 655, and her case was never considered. She did file an application for adjustment of status under section 6 of the Refugee Relief Act of 1953, which application was denied on the grounds that she failed to establish a lawful entry into the United States as required by said act.

As there is no administrative means whereby Miss Kunder may have her status adjusted, I respectfully ask that the bill be scheduled for a hearing, and I request the opportunity to appear and testify in behalf of the bill.

Very sincerely yours,

JAMES G. DONOVAN.

Lee Fay Fan—H. R. 5912, by Mr. Hyde

The beneficiary was born on June 6, 1936, at Sai Hong Village, Toishan District, China. He arrived in New York in June of 1952, and applied for admission claiming to be a citizen of the United States but was denied admission. He was subsequently released on October 15, 1954, and resides with his parents in Washington, D. C.

Certain pertinent facts in this case are contained in a letter dated January 3, 1955, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 10263) pending during the 83d Congress for the relief of the same person. That letter and accompanying memorandum read as follows:

JANUARY 3, 1955.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 10263) for the

relief of Lee Fay Fan, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of these files.

The bill would grant the alien the status of permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Chinese persons.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION FILES RE LEE FAY FAN, BENEFICIARY OF
H. R. 10263

The beneficiary, Lee Fay Fan, was born June 6, 1936, at Sai Hong Village, Toishan District, China and claims United States citizenship. The beneficiary arrived at the port of New York, N. Y., on June 6, 1952. He applied for admission, claiming citizenship under the provisions of section 201 (g) of the Nationality Act of 1940 (8 U. S. C. 601 (g)), alleging that Lee Suey, a citizen under section 1993, Revised Statutes, was his father. However, blood tests made of the beneficiary and his alleged parents excluded the possibility of paternity. On September 16, 1952, a board of special inquiry excluded Lee Fay Fan from admission to the United States on the ground that he was an alien not in possession of a valid unexpired immigration visa. The beneficiary has been confined at Ellis Island, New York Harbor, N. Y., since June 6, 1952. On appeal, the Board of Immigration Appeals affirmed the exclusion order on February 25, 1953. On December 17, 1952, a complaint was filed in the United States District Court for the District of Columbia by the beneficiary, his father and near friend, Lee Suey, in which plaintiff sought a judicial decree declaring him to be a citizen and national of the United States. On August 6, 1954, on consent of the plaintiff, that action was dismissed with prejudice. The applications by or on behalf of the beneficiary for release on parole, under bond or otherwise, have been administratively denied. The beneficiary also instituted a habeas corpus action in the United States District Court for the Southern District of New York seeking release from custody pending the disposition of the judicial action in the District of Columbia. On July 23, 1953, the New York District Court dismissed that habeas corpus action. However, on October 15, 1954 he was released and is presently at liberty under bond in the amount of \$2,000.

The beneficiary alleges he attended elementary school for a period of 6 years. He also attended a Chinese school where the English language was taught for a period of 1 year. Both of these schools were located in China. The beneficiary estimates his personal effects in the United States are valued at \$200. He alleged no assets abroad. The bene-

ficiary stated that his alleged mother, alleged father, and alleged brother, resident and citizens of the United States, respectively, reside in Washington, D. C. His uncle resides in China.

The beneficiary's sponsors and alleged parents, Suey Lee and Huey Shin Jin, were born in Toishan, Canton, China, on March 2, 1911, and October 11, 1917, respectively. The beneficiary's alleged father alleged his father, Hin Sing Lee, now deceased, was a native of the United States. Further, that he, Suey Lee, entered the United States at the port of San Francisco, Calif., on July 23, 1924, at which time he was admitted as the son of a native United States citizen, in possession of certificate of identity No. 527327. The beneficiary's alleged mother, Huey Shin Jin, alleges that her parents, Huey Chark Tui and Lee Shee, father and mother, respectively, were born in China and are now deceased. She alleged she was admitted at the port of New York, N. Y. as a nonquota immigrant for permanent residence. The beneficiary's alleged father stated that he made one trip to China, returning to the United States on April 11, 1936. Further that he resides together with his wife at 400 R Street NW., Washington, D. C., where he operates his own hand laundry, which he values at \$3,500, and from which he derives an annual income of approximately \$3,000. He alleged that he and his wife, Huey Shin Jin, alleged mother of the beneficiary, have a bank account of about \$3,000, an automobile worth \$2,000 and personal effects estimated at \$1,500.

The sponsors and alleged parents of the beneficiary stated that the beneficiary, Fay Fan Lee, was their son and that he was born on June 6, 1936, in Toishan, Canton, China. Further, that the beneficiary was not a member of nor affiliated with any subversive organizations.

Mr. Hyde, the author of this bill, appeared before a subcommittee of the Committee on the Judiciary and recommended the favorable consideration of his measure. In addition, Mr. Hyde submitted the following letter and statement in support of this legislation:

HOUSE OF REPRESENTATIVES,
Washington, D. C., April 29, 1955.

HON. EMANUEL CELLER,

*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: Would you be good enough to request a report on my bill H. R. 5912? This was H. R. 10263 of the 83d Congress; also, the Immigration and Naturalization Service submitted a report on this bill which is in the committee's files.

The following is some information with respect to Lee Fay Fan's background:

Lee Suey resides at 400 R Street NW., Washington, D. C., and operates a laundry. He was born on March 2, 1911, in Si Hung Village, Toishan, Kwangtung, China, and is a citizen of the United States by birth under section 1993, United States Revised Statutes.

During the one trip he made to China since coming to this country, he married his wife, Huey Su Gen, on June 1, 1935, in Si Hung Village, Toishan, Kwangtung, China. She came to this country under section 4 (a), Immigration Act of 1924, and was admitted by the United States Immigration Service at New York on December 8, 1950, visa No. 391.

The beneficiary of this bill, Lee Fay Fan, was born June 6, 1936, in Si Hung Village, Toishan, Kwangtung, China. He came to this country under section 201 (g), Nationality Act of 1940, arriving June 6, 1952, and was detained at Ellis Island because blood tests of the beneficiary and his father showed incompatibility. Lee Fay Fan was released on parole October 15, 1954, and now resides with his parents at 400 R Street NW., Washington, D. C.

Attached is a laboratory report of the mother which you may want for your records.

If there is a need for further information, please do not hesitate to call my office.

Sincerely,

DEWITT S. HYDE.

Laboratory No. 266208, Oscar B. Hunter Memorial Laboratory, Washington 6, D. C.,
Apr. 22, 1955

	International designation	M and N factor
Huey Su Gen ¹ (mother)	Group O	M
Lee Fay Fan ² (alleged son)	Group A	MN

¹ Typed in this laboratory as Su G. Lee, Aug. 19, 1952.

² Reported to have been typed at U. S. Public Health Service about July 7, 1952.

Huey Su Gen was typed in this laboratory August 19, 1952, and found to have the following blood factors: Group O and group M.

Hearsay information was obtained from Attorney Joseph S. Brown that the alleged son, Lee Fay Fan, was typed by the United States Public Health Service approximately July 7, 1952, and found to have the following blood factors: Group A and group MN.

Assuming this information to be correct, it is possible that the alleged child is the son of Huey Su Gen.

ROBERT FINK, M. D., Pathologist.

Adam M. Macielinski—H. R. 6361, by Mr. Machrowicz

Mr. Macielinski, a 47-year-old native and formerly a citizen of Poland, now stateless, was admitted to the United States as a visitor in September of 1950. He has been employed as a radio script writer since 1952, by the United States Information Agency (Voice of America), and was previously employed by the Vatican Radio at Vatican City, Rome, as assistant director of the Polish section.

The pertinent facts in this case are contained in a letter, dated December 9, 1955, from the Commissioner of Immigration and

Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington, D. C., December 9, 1955.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 6361) for the relief of Adam M. Macielinski, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Services files relating to the beneficiary by the Washington, D. C., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. The bill also directs the deduction of one number from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Poland.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE ADAM M. MACIELINSKI,
BENEFICIARY OF H. R. 6361

The beneficiary is a native and citizen of Poland. He was born on December 5, 1908, in Zborow, Poland. On June 17, 1948, he married Anna Czwartacka, a citizen of Yugoslavia, in San Remo, Italy. They separated by mutual agreement.

Mrs. Macielinski resides in Rome, Italy. Mr. Macielinski resides at 2331 15th Street NW., Washington, D. C.

Mr. Macielinski graduated from the University of Lwow, Poland, in 1931. Thereafter he was a newspaper correspondent in Poland, a secretary of the Polish Embassy in Rome, Italy, and an attaché of the Polish Embassy in Ankara, Turkey. He edited Polish Thought in Jerusalem, Palestine. He was connected with the Vatican Radio at Vatican City, Italy, as assistant director of the Polish section. Since entering the United States in 1950 he has been employed by the Department of State, Voice of America, as a script writer. He is presently employed at Washington, D. C., in such capacity at a salary of \$6,400 per year. The beneficiary's assets consist of \$300 in cash and personal property valued at \$500. His father is deceased. His mother resides in Italy. One brother and a sister reside in England. Mr. Macielinski has no relatives or anyone dependent upon him for support in the United States.

The beneficiary was admitted to the United States on September 8, 1950, at New York, N. Y., as a visitor. He failed to comply with the conditions of his admission and deportation proceedings were instituted against him. Such proceedings are now pending.

The committee also received the following letter from the United States Information Agency:

UNITED STATES INFORMATION AGENCY,
OFFICE OF THE DIRECTOR,
Washington, January 12, 1956.

Hon. FRANCIS E. WALTER,
House of Representatives.

DEAR MR. WALTER: Further reference is made to your letter of December 21, 1955, regarding private bill, H. R. 6361, for the relief of Mr. Adam M. Macielinski.

Mr. Macielinski has been employed by the Polish Service of the Broadcasting Service of the Agency since February 1952 as a radio script writer and has proven a very intelligent, conscientious, and effective employee. He is an expert on international Polish problems because of his distinguished career as a diplomat with the Polish Government-in-exile in London, as assistant director and speaker with the Polish section of Vatican Radio, and as radio commentator of the Polish section of the Italian broadcasting station in Rome. His outstanding talents are a real asset to the Polish Service of the Broadcasting Service.

It is not the policy of the Agency to support private bills for its employees. We hope, however, that this letter provides you with the information you need.

Very truly yours,

THEODORE C. STREIBERT,
Director.

Mr. Machrowicz, the author of H. R. 6361, submitted the following letters in support of his bill:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
New York, N. Y., June 6, 1955.

Hon. THADDEUS M. MACHROWICZ,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN MACHROWICZ: This will serve to supplement my communication of April 27, 1955, relative to the case of Mr. Adam M. Macielinski in which you have expressed your interest.

I wish to advise you that Mr. Macielinski was today advised through his representative, Dr. Joseph F. Wachtel, of 210 West 90th Street, New York City, that his application for adjustment of immigration status under the provisions of section 6 of the Refugee Relief Act of 1953 has been denied for the reason that he is able to return to the country of his last residence without fear of persecution on account of race, religion, or political beliefs.

Entire file in this case is this date being transmitted to the appropriate section handling the investigation of immigration status of persons in the United States with a view to determining further action to be taken in the matter.

Sincerely yours,

EDW. J. SHAUGHNESSY,
District Director, New York District.

MARCH 13, 1953.

IRP/E—Mr. Dwight B. Herrick
IRP/E—Joseph C. Gidynski
Mr. Adam M. Macielinski's Request

I am enclosing the request of Mr. Macielinski with the exhibits. In this connection I feel as my duty to state as follows:

Mr. Macielinski, a radio information specialist [RSWriter] employed by the Polish Service of the Voice of America on full-time basis since February 1952 and working in close cooperation with the unit since November 1950, came into the United States in September 1950. His record prior to the arrival to this country discloses that after a distinguished career as a newspaperman and diplomat connected with the Polish Government [in London] he was the assistant director and speaker of the Polish section of the Vatican radio in Vatican City and a radio commentator of the Polish section of the Italian Government broadcasting in Rome, Italy. In both positions he was employed, no doubt, because of his exceptional qualifications as an expert on Polish and international affairs supplemented with profound knowledge of political issues connected with religious and Communist doctrines. These exceptional qualifications have been proven during the time of employment of Mr. Macielinski with the IBS. Furthermore, his performance ratings are cognizant of his highly satisfactory performance of his duties. He is rated as a very intelligent, conscientious, and enthusiastic worker and extremely cooperative, capable of initiative and resourcefulness in providing new ideas and material. His outstanding talents are definitely continuously needed in performance of the work of the Voice of America and undoubtedly urgently needed.

No American citizen of Mr. Macielinski's specialized training and experience could have been found to substitute for his work. His established loyalty to this country and uncompromising views on the necessity to oppose communism are one of the basic characteristics of his general attitude. I can personally vouch for that. In view of the above I respectfully submit that every possible support be given to Mr. Macielinski's request in the interest of the Polish Service operation.

I must add that in the year 1951 Mr. Foy D. Kohler then Director of the Voice of America detailed me to Europe among others also for the purpose to recruit for the Voice of America, Polish Service, several Polish talented writers to increase further the effectiveness of the Polish broadcast. Mr. Macielinski is just such a talented writer I would like to bring over from Europe. The actual residence of Mr. Macielinski in this country permitted us to hire him and, thus, saved us a lot of money and trouble.

MARCH 13, 1953.

Through:

NAO/P—Mr. Edward A. Macy.

IRP/E—Mr. John Taliaferro.

IRP/E—Dwight B. Herrick.

Mr. Adam M. Macielinski.

Attached are papers in reference to the extension of Mr. Macielinski's visa to this country.

Mr. Macielinski has been employed by the Polish Service on a full-time basis since February 1952, having arrived in this country in September 1950. Between that date and the date of his full-time employment he had done other work for the Polish Service.

Mr. Macielinski's qualifications as a writer are exceptional. He has done an extremely creditable and valuable job for the VOA in the Polish Service, and it would be impossible to replace him at this time with any citizen, or with another alien since it would be difficult, if not impossible, to find either with his qualifications for the job he is performing. Mr. Macielinski is strongly anti-Communist in his political convictions and has been a very loyal and devoted employee during his time with IBS.

I urge that every effort be made to the Immigration and Naturalization Service to allow him to remain in this country and to take out his first papers for citizenship which it is his desire to do.

Luigia Pelella—H. R. 4258, by Mr. Wharton

Luigia Pelella is a 22-year-old native and citizen of Italy who was refused admission into the United States because of feeble-mindedness when she was applying for entry as a nonquota immigrant in 1954. She resides with and is supported by her cousin, a citizen of the United States. Her mother and 1 sister are United States citizens who reside in Newburgh, N. Y., and in addition she has 2 sisters who reside in Italy.

The pertinent facts in this case are contained in a letter, dated June 21, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington 25, D. C., June 21, 1955.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 4258) for the relief of Luigia Pelella, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would waive the provisions of section 212 (a) (1) of the Immigration and Nationality Act, which excludes from admission into the United States aliens who are feeble-minded. Further, the bill provides that admission shall be conditioned upon the depositing of a bond or undertaking pursuant to section 213 of the act.

As you will note from the attached memorandum the beneficiary, who presently resides in the United States, has been found to be deportable and has been granted voluntary departure. Therefore enactment of the bill in its present form would not serve to adjust her immigration status.

The beneficiary is chargeable to the quota for Italy.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE LUIGIA PELELLA,
BENEFICIARY OF H. R. 4258

The beneficiary, Luigia Pelella, also known as Louise Pelella, was born on July 29, 1933, in Santa Maria a Veco, Caserta, Italy, and is a citizen of Italy. She has never married. Since July 1954 she has resided in the Beacon, N. Y., home of her cousin, a citizen of the United States, upon whom the beneficiary is totally dependent for support. In September 1954 the beneficiary was enrolled in the Little Red School House at Poughkeepsie, N. Y., which operates under the auspices of the Dutchess County Association for Mentally Handicapped Children. She has been receiving training in academic subjects, as well as in arts and crafts. School authorities have reported that a need for more advanced training is now indicated due to her favorable progress.

The beneficiary received limited grade school training at a convent in Italy, where she resided from the time of the death of her father in 1939 until 1942 or 1943. Thereafter she returned to her native town to reside with her mother, sisters, and grandparents. The death of her grandfather in 1945 left all eight female members of the immediate family without support and, as a result, the beneficiary and the other women resorted to home embroidery as a means of earning a livelihood. The beneficiary's mother and one sister now reside in Newburgh, N. Y., and are citizens of the United States. She has two sisters who reside in Italy.

The only arrival of the beneficiary in the United States occurred at New York, N. Y. on June 29, 1954, at which time she was temporarily detained and accorded a hearing to determine her admissibility as a nonquota immigrant. She was examined by the United States Public Health Service and a class A medical certificate was issued on June 2, 1954, which certified that she was afflicted with feeble-mindedness, mental deficiency, moderate. During the course of a subsequent special inquiry hearing, her representative withdrew the application for admission as a nonquota immigrant and applied for her admission as a nonimmigrant for a temporary period to permit her attendance at a school for the mentally handicapped. On July 22, 1954, the special inquiry officer found the alien excludable under section 212 (a) (1) of the Immigration and Nationality Act, as one afflicted with feeble-mindedness, but ordered that, upon posting of a \$1,000 bond, she be admitted to the United States as a visitor for pleasure for a period of 6 months, under the discretionary authority contained in section 212 (d) (3) of said act. On August 5, 1954, the Board of Immigration Appeals approved this decision. On April 26, 1955, a warrant of arrest was issued against the beneficiary based upon the charge that she had failed to comply with the conditions of her visitor's status by remaining in the United States without authority beyond January 22, 1955. At a deportation hearing on May 9, 1955, she was granted the privilege of voluntarily departing from

the United States at her own expense, in lieu of deportation, with an alternative order for her deportation should she fail to so depart.

The Director of the Visa Office, Department of State, also submitted a report on this case which reads as follows:

DEPARTMENT OF STATE,
Washington, May 3, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CELLER: Reference is made to your letter of March 16, 1955, and its enclosures, wherein you requested a report of the facts in the case of Luigia Pelella, beneficiary of H. R. 4258, 84th Congress, 1st session.

According to information received by the Department from the American consulate general at Naples, Italy, there were no special circumstances surrounding the issuance of a nonquota immigrant visa to the alien who was passed by the examining medical officer on May 11, 1954. The consulate general's report adds that Dr. Anthony P. Rubino, Medical Director, United States Public Health Service, the physician who examined the alien, was admitted to the United States Naval Infirmary in Naples on May 14, 1954, suffering from serious hypertensive cardiovascular disease, and died there on June 8, 1954. The report further states that Dr. Rubino was known to have been ill for some days prior to his hospitalization.

The Department's files contain information showing that the alien was excluded under the provisions of section 212 (a) (1) of the Immigration and Nationality Act by the immigration authorities at New York upon her arrival on June 29, 1954. The Department's records show that the Attorney General authorized the alien's temporary admission for educational treatment under the authority contained in section 212 (d) (3) of the above-cited act, and that this Department and the Immigration and Naturalization Service acting jointly, waived the presentation of a nonimmigrant visa which would be required under section 101 (a) (15) (B) of the act.

At this time the Department has no knowledge of any factor in Miss Pelella's case, other than the information hereinbefore cited, which would render her ineligible to receive an immigrant visa. However, it should be borne in mind that another ground of ineligibility which may come to light prior to visa issuance would preclude Miss Pelella from receiving a visa.

Sincerely yours,

ROLLAND WELCH,
Director, Visa Office.

Mr. Wharton, the author of H. R. 4258, appeared before a subcommittee of the Committee on the Judiciary and recommended the enactment of his bill.

Upon consideration of all the facts in each case included in this joint resolution, the committee is of the opinion that House Joint Resolution 580, as amended, should be enacted and accordingly recommends that the resolution do pass.

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